

REMARKS

Claims 11, 14, 15, 30, 46, 48, 49, 54-56 and 58-61 are pending in this application. By this Amendment, claims 46, 49, 59 and 61 are amended. Support for the amendments to claims 46, 49, 59 and 61 can be found, for example, in Figs. 73 and 75 of the application, as originally filed. No new matter is added. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

Applicants appreciate the Examiner's indication that claims 11, 14, 15, 30, 54-56 and 58 are allowed. For the following reasons, Applicants submit that all of the pending claims are in condition for allowance.

The Office Action rejects claims 46, 48, 49 and 59-61 under 35 U.S.C. §102(b) over U.S. Patent No. 6,445,460 to Pavley. The rejection is respectfully traversed.

Pavley does not disclose an image storage apparatus having a delete control device that controls so as to receive image data recorded in the storage medium connected to the connecting device, store the received image data in the image storage memory and determines to perform automatic deletion of the image data of the storage medium after storage thereof based on whether or not the storage medium connected to the connecting device is a storage medium limiting a number of overwrite, and when the medium detector detects that the storage medium limiting a number of overwrite is connected to the connecting device, the delete control device halts the performing of the automatic deletion of the image data after storage thereof, as recited in independent claim 46, and as similarly recited in independent claims 49, 59 and 61.

Pavley discloses examining a file attribute associated with each image file recorded in a recording medium (see Abstract). Specifically, Pavley discloses determining whether an image file has a read-only file attribute. However, Pavley does not disclose detecting whether

a storage medium in which an image file is stored is a storage medium limiting a number of overwrite, and consequently does not disclose automatically or halting automatically deleting the image file based on the determination. Instead, in Pavley, even if the storage medium were determined to be a storage medium limiting a number of overwrite, automatic deletion would continue to be performed (*i.e.*, not halted) for image files without a read-only file attribute. Therefore, Pavley fails to disclose all of the features positively recited in independent claims 46, 49, 59 and 61.

Claims 48 and 60 incorporate the features of claims 46 and 59, respectively. Therefore, these claims also are patentable over Pavley for at least this reason, as well as for the additional features that these claims recite. Accordingly, it is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claim 46, 48, 49 and 59-61, in addition to the indication of allowability of claims 11, 14, 15, 30, 54-56 and 58, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

Mario A. Costantino
Registration No. 33,565

Justin T. Lingard
Registration No. 61,276

MAC:JTL/hs

Attachment:
Petition for Extension of Time

Date: December 7, 2010

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461</p>
--